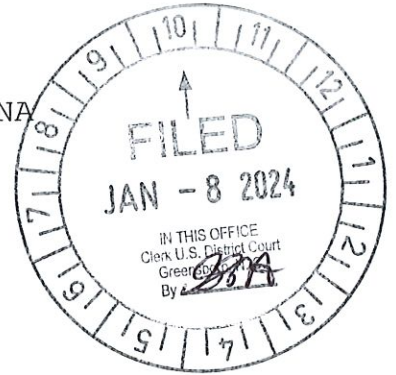


IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA



KENNETH A. BATTLE,

Plaintiff,

v.

MERCEDES T. FORDHAM,  
JOSHUA C. DENNIS, SERGEANT  
WILLIAMS, OFFICER WATSON,  
OFFICER TUPPER, OFFICER  
ANDRUSKI, OFFICER MOUA,  
JAMES R. LEECH, JEANETTE M.  
ROBINSON, ERIK A. HOOKS,  
and DR. KAREN STEINOUR,

Defendants.

1:21-cv-692

ORDER

On August 23, 2023, the United States Magistrate Judge's Order and Recommendation ("Recommendation") was filed and notice was served on the parties pursuant to 28 U.S.C. § 636. (Docs. 36, 37.) No objections were filed within the time prescribed by Section 636. Consequently, because of Plaintiff's failure to comply with the Court's August 23, 2023, Order, the United States Magistrate Judge filed a subsequent Recommendation ("Recommendation") on November 1, 2023, which was also served with notice on the parties pursuant to 28 U.S.C. § 636. (Docs. 38, 39.) Again, no objections were filed within the time prescribed by Section 636.

Therefore, the court need not make a de novo review and the Magistrate Judge's Order and Recommendation, (Doc. 36), and subsequent Recommendation, (Doc. 38), are adopted.

**IT IS HEREBY ORDERED** that the Magistrate Judge's Order and Recommendation, (Doc. 36), is **ADOPTED**. **IT IS FURTHER ORDERED** that Defendants Tyler Andrufski, Joshua Dennis, Mercedes Fordham, Erik Hooks, Jeannette Robinson, and Linda Williams' Motion for Summary Judgment, (Doc. 28), is **GRANTED**, and all claims against Defendants Andrufski, Dennis, Fordham, Hooks, Robinson, and Williams are **DISMISSED WITH PREJUDICE**.

**IT IS FURTHER ORDERED** that the Magistrate Judge's subsequent Recommendation, (Doc. 38), is **ADOPTED**, and the claims against Defendants James R. Leech, Officer Moua, Dr. Karen Steinour, Officer Tupper, and Officer Watson are **DISMISSED WITHOUT PREJUDICE** pursuant to Federal Rule of Civil Procedure 41(b), and that this case is hereby **DISMISSED**.

A Judgment dismissing this action will be entered contemporaneously with this Order.

This the 8 day of January, 2024.

William L. Osburn, Jr.  
United States District Judge